#### NAL'S BUSINESS DIRECTORY.

AGENT INDIANAPOLIS JOURNAL-Wm. L. Rice, 2005 West Michigan street. Telephones: Old, 28750; new, 3152. Territory west of white river.

FLORISTS-BERTERMANN BROS., New No. 241 Mass. ave., 226 N. Del. st. Tel. 840.

MANTELS AND GRATES-P. M. PURSELL (Mantels, Furnaces), 221 Massachusetts ave.

PATENT LAWYERS-V. H. LOCKWOOD, pumphlet or any general information free of charge.

415-418 Lemcke Building. SALE AND LIVERY STABLES-HORACE WOOD (Carriages, Traps, Buck-boards, etc.) 25 Circle. Tel. 1097. boards, etc.)

H. C. STEVENS, New Style Wall Paper. Low prices. 500 N. Senate ave. Tel. 2 on 2552. FUNERAL DIRECTORS-FRANK BLANCHARD,

TUTEWILER & SON, Undertakers. 124 W. Market St. Tel. 216

#### FUNERAL DIRECTORS.

FLANNER & BUCHANAN-(Licensed embalmers.) Can ship diphtheria and scarlet fever. Lady embalmer for hadies and children. 320 North Illi-nois street. Telephone 541, new and old.

C. E. KREGELO. FUNERAL DIRECTOR, 223 N. Delaware St. Residence 128 E. Vermont St. (Colonial Flats.) New Phone, 1749.

DIED.

## MAXWELL-Maggie Maxwell, infant daughter

of Mr. and Mrs. Bruce Maxwell, No. 2430 Norta of diphtheria. Burial private. FINANCIAL. 

LOANS-Money on mortgages. C. F. SAYLES,

127 East Murket street.

mission; money ready. C. N. WILLIAMS & CO., 519 Lemoke building. FINANCIAL-First-mortgage toans on im-

STORAGE.

CRATING AND PACKING OF HOUSEHOLD Privileges which are accorded to the pur-GOODS A SPECIALTY. DENTISTRY.

DENTISTRY-Scientific dentistry; thirty years'

#### experience. S. F. EARHART, 161/2 Washington street. Call and get prices.

LOST. LOST-In Bates House washroom, gold ring, with L. K. on heart-shaped top. Return to with L. K. on heart-shaped top. Return to W. S. Allen, Gem Garment Co., and receive re-

## WANTED-AGENTS.

ward. House, new 'phone 2662.

WANTED-Good live man or lady to represent Burlington building, St. Louis, Mo.

### WANTED.

WANTED-Ladies to come to our opening sale CHAMBERS'S 5c AND 10c STORE, 30 West Washington street.

#### WANTED-MISCELLANEOUS.

WANTED-Ladies, be sure and see the new 5c and 18c store of CHAMBERS & CO., 30 West Washington street.

#### WANTED-MALE HELP.

WANTED-For U. S. army, able-bodied un married men between the ages of 21 and 35; citizens of the United States, of good character and temperate habits, who can speak, read and write English. Recruits specially desired for service in Philippines. For information apply to Recruiting Officer, 25 N. Illinois st., Indianapolis,

#### PERSONAL.

LADIES AND GENTLEMEN your clothes pressed, cleaned, dyed, paired and altered at GEORGE MICHELSEN, 15 W. Ohio street. PERSONAL-Zaphnath, Society Palmist, will attend at the Propylacum to-morrow, Saturday, and Monday next. Hours, 10 to 1, 2 to 6. Fees, Zaphnath attends receptions. Terms

PERSONAL-MADAME M'NAIRDEE is still in midst, and has shocked the city with her hetic power. Reads past, present and future out asking a question. Tells all moves, changes and important events. Three parlors arranged so that you meet no strangers. Owing to such crowds you may call night or day PERMANENTLY LOCATED, 417% Indiana ave.

## CAKES AND OTHER DAINTIES.

SILVER CAKE, walnut cake, oyster patty almond and cocoanut maccarpons at oseph Taggart's bakery, 233 and 235 Mass. ave. These excellent preparations fresh every day.

RUGS AND CARPETS-A. W. Williams, manufacturer of rugs, portieres, hassocks and rag carpets, 515 Massachusetts avenue, Indianapolis, Ind. Old and new telephones 1974. Get prices

RUGS AND CARPETS.

#### NOTICE. NOTICE-Hot air furnaces, with combinat

gas burners; for burning gas and other fuel at the same time. JOSEPH GARDNER, 39 Kentucky ave. Telephone 222. NOTICE-The Chicago Loan Co. has remove m 261 E. Wash. st. and taken possession of its new quarters, 431 E. Wash, st. Loans made on monds, watches, bicycles, clothing, etc. SEALED PROPOSALS.

\* PROPOSALS FOR METAL DISHWASHING MACHINE-National Military Home, Grant washing machine at Marlon Branch, N. H. D. V. Printed instructions and specifications and lank proposals will be supplied upon application to this office. The right is reserved to reject any or sil proposals or to waive any informalities herein. Envelopes containing proposals should MAN, Governor.

Department of Public Safety, Office of the Board, Feb. 15, 1901. Sealed proposals will be received by the Board | \$12.50 higher than those above named. Public Safety at its office in the courthous anapolis. Ind., on and up to 10 o'clock a. r aturday, March 9, 1901, for furnishing two ( extra first class steam fire engines. Each bidde I submit his own plans and specification shall comply with the following requir ments: Capacity of engines shall be from 1.1 to 1,200 gailons of water per minute; they shall equipped with roller bearing wheels with rob tires; also with hose relieve valves, engir heaters, retary gongs, dump grates, and 4-inc cotton plug suction couplings to fit such thread on pump and Indianapolis large hydranis with cer to fit 24-inch openings; also with regu lar length suction to be in one piece. Driver's seat to be made wide enough to seat two per sons; extra tongue for each engine to be furall tools necessary to complete an outfit for an \$6,000. right to reject any or all NELSON J. HYDE.

## WILSON S. M'MILLEN, Board of Public Safety.

#### First Tried Gas and Then Shot Himself in the Heart.

SUICIDE OF A PRIEST.

MINNEAPOLIS, March 7 .- Despondent over his recent discharge from the Duluth diocese, Rev. Francis Budzyoski, a Roman in a local hotel and died before aid could reach him. He had tried asphyxiation, but empt was frustrated. He fired two shots | are J. F. Grennen and O. W. Runyon. at himself while the beliboys stood out-pide the door waiting for him. He had on best freight traffic at any time since the ters were found, one addressed to a brother n Elmira, N. Y., and the other to a waitress in a local restaurant.

Have your furnac 3 looked after and re-THOMAS E. HADLEY,

146 Kentucky ave.

## THE NEW EXPORT ROUTE

ITS ESTABLISHMENT MAY LEAD TO A

FREIGHT-RATE WAR.

Misleading Interpretation of Decision of Appellate Court of Indiana on Mileage Books.

The passenger traffic manager of an important system, in speaking of the decision rendered by the Appellate Court of Indiana respecting the rights of holders of Central Fassenger Association interchangeable mile-29 N. Delaware st. Tel. 411. Lady attendant. | age orders, said that the interpretation of the press in some instances is somewhat assistant general passenger and ticket agent misleading, especially the statement that the ruling of the court was that a holder | porate titles for twenty-seven years. He of an interchangeable mileage ticket is entitled to ride on the book itself in case he is unable, for any reason, to secure an exchange ticket, as required by the railroad, | month of February, \$210,150.98, an increase and, further, that, if the higher court sustained the decision, the book will be withdrawn and the railroads will sell nothing | service made a few months ago is proving but regular tickets at the regular threecent-a-mile rate. "The fact is," said the tral Passenger Association mileage ticket | 24, 1895, he was injured in the Big Four is not a ticket at all, but an order for

for sale, accepted by the purchaser, must | neys of the Big Four claim. be presented to ticket agents and train tickets obtained in exchange for the mile-Capitol avenue, died Thursday night at 8 o'clock age coupons of the order, the order itself \$3,000,000 construction and \$3,000,000 equipnot being accepted on trains under any conditions whatever. The requirement in all eases is that a ticket shall be obtained in branch, thus giving another line from Toexchange for coupons. The case at issue does not directly affect the operation of LOANS-On city property; 5% per cent.; no com- | the exchange order in any essential particular. The passenger boarded one of the Fanhandle trains and refused to pay fare, and was ejected by the conductor because proved Indianapolis property; lowest rates; and was ejected by the conductor because privilege of prepayment. SPANN & CO., 148 the exchange order could not be accepted for passage under its contract conditions. The case has been appealed to the Supreme STORAGE-The Union Transfer and Storage way alter or abridge the condition of sale has just come into its control, to Lodi, on

#### The New Export Line.

Mention was made recently that the New York, New Haven & Hartford road had arranged with the Lehigh Valley to establish a new export line, via Boston. One of the officials of the former road said that this traffic arrangement with the Lehigh Valley, by which freight from the West may be shifted by the consolidated roads to New York, and thence sent to Boston for exporting, is the inauguration of a carefully laid series of plans to regain for the New Haven road much of the freight business that it has lost lately. The arrangement will apply to other Western lines beus as agent in your city. Experience not nec-essary. PARISIAN FURNISHING CO., 712 of the movement is evident from the fact that, even with present facilities, the New Haven road can take from its Western allies consignments of grain, or any perishable commodity, carry them around New York by boat, shift again to railroad, changing again at Boston to the treight steamship for export, and then make a profit. If the New Haven road is able to do that, and can lower the rate, Western roads will co-operate to a great degree in lurnishing business, and a freight traffic may be ouilt up on this system that will ultimately make it one of the best distributors in the East. With the New England read the Consolidated acquired a fine Boston terminal, which in itself made the opportunity one not to be missed. President Hall has been quietly at work on the problem for more than a year, and this agreement with the Lehigh Valley has epened up the whole situation. An interesting freight war will probably result from this situation.

## Latest Plans of the Pennsylvania.

The New York Evening Post said last night: "The Pennsylvania Railroad is to take immediate possession of the Long Island Railroad instead of waiting until May to take over the road, as stated in the annual report issued on Tuesday. The Pennsylvania has paid the full price agreed to, and will immediately begin developments of its broad plans for making this line. road a connecting link in a through New England route and building up local in-

According to the Evening Post there is good authority for saying that the stock- | of \$3,142,639 between the total gross earnings holders of the Pennsylvania Railroad interests in the Baltimore & Ohio Railroad have been considerably increased since the close of the year. At the present time the Pennsylvania Railroad has less representation on the board of directors in this company than on any of the other companies into whose securities the Pennsylvania purchased last year. The Post says: "It is understood that on several occasions in the last year the Pennsylvania interests have not been in full sympathy with the property expect that within the next five policy adopted by the Baltimore & Ohio board, particularly in financial plans. The interest of the Pennsylvania Railroad in Baltimore & Ohio was reported as being centered entirely in preferred shares at the close of last year, and to have comprised \$18,000,000 par value of the outstandlieved the Pennsylvania Railroad has bought into the common stock and has also acquired a considerable amount of the new convertible bond issue. These purchases are expected to lead to a larger voice in the management of the Baltimore & Ohio being secured to the Pennsylvania interests."

## Rates for the Epworth League.

Rates and arrangements for the Epworth League meeting, to be held in San Francisco, July 18 to 21, are announced by the Central Passenger Association lines as follows: One fare for the round trip from county, Indiana, treasurer's office, March 6, 1901. | points in the territory of the association to | which named Swift as co-respondent. Mrs. Sealed proposals will be received at this office until 12 o'clock m. April 5, 1901, for furnishing and delivery of one (1) copper and brass dishfares tendered therefrom, namely: Cairo, after the last decree was granted Swift of the transcript, but it should be set out \$47.50; Chicago, \$50; Hannibal, \$47.50; Peoria. \$48, and St. Louis, \$47.50. The following arbitraries have been named: Tickets may be sold one way, through Portland or Puget Sound points, via Shasta route or steamer, be indorsed "Proposals for Supplies, N. H. D. V. at rate of \$9 higher than the above. Tickets S." and addressed to the undersigned. H. O. HEICHERT, Treasurer. JUSTIN H. CHAP-ing via Los Angeles San Francisco and ing via Los Angeles, San Francisco and Shasta route to San Francisco, and going via Shasta route to San Francisco, return-

### Personal, Local and General Notes. The Evansville & Terre Haute earned in

ruary, 1900, of \$308. The Toledo, St. Louis & Western earned

J. W. Grennen, trainmaster of the Panhas gone to Martinsville.

The improvements in the Union Station.

The directors of the Chicago & Eastern Illinois have declared a quarterly dividend of 1% per cent, on its preferred stock, pay-The Big Four lines proper earned in the fourth week of February \$355,905.05; in Feb-

ruary, \$1,278,323.33; increase over February, 1900, \$48,943.56. W. B. Murray, traveling passenger agent of the Erie, who was thought to be fatally ill with pneumonia, is convalescing and will probably recover,

John Eden, general freight agent of the Eastern Minnesota road, has been promoted Catholic priest, shot himself in the heart to traffic manager of the line, the office being created for him.

J. F. Nolan is now trainmaster of the Panhandle line from Indianapolis to Cothe odor of gas was noticed and his at- lumbus, and his two assistant trainmasters that Hiram Bradley called his brother als person a letter from Bishop McGolerick | civil war. Its earnings in February were ensing with his services. Two other let- \$151.917 in excess of those of February, 1900. The first week in March the loaded car milage of the Big Four increased 17 per cent. over the corresponding week last year, and that of the Peoria & Eastern 13

Monon lines, was in Cincinnati yesterday conferring with Passenger Traffic Manager

George W. Parker, candidate for Republican nominee for mayor of St. Louis, was once a locomotive engineer, finally reaching the position of president of the Cairo

Short-line. Specifications have been prepared for the three new switching engines to be purchased by the Union Railway Company, and they will be the heaviest switching engines in service in this section of the

country. The fast freights which the Grand Papids & Indianapolis will put on next Monday will make the run from Cincinnati via Richmond to Duluth five hours quicker than any of the fastest freights heretofore run between those points.

One hundred cars, 80,000 pounds capacity, just built at the shops of the Pennsylvania Company at Fort Wayne, have been sent to Chicago to be loaded with grain, being the first cars of that capacity placed in grain service on the Pennsylvania lines

Daniel S. Spencer has been promoted to of the Oregon Short-line. Mr. Spencer has been with the road under its various corbegan his railroad career as a messenger boy in 1871.

The Peoria & Eastern carned in the fourth week of February \$80,832,93; in the over February, 1900, of \$12,929.60. Of this increase \$10,710 was made by the passenger department. The improvement in train a wise move.

A sult for \$20,000 damages has been filed in the Wabash Circuit Court against the passenger official, "that the so-called Cea- Big Four by Mahlon H. Rhodes. On July yard at that point. What makes the case of special interest is that his claim is outtickets, which, under contract conditions lawed by the statue of limitations, attor-

Work was begun yesterday on the extension of the Wabash Railway from Toledo to Montpelier, O., a forty-mile line, for which ment bonds have been issued. The extension will connect the main line from Toledo to St. Louis with the Detroit-Chicago ledo to Chicago.

The Lake Shore & Michigan Southern has

established a school for its apprentice boys at its shops at Elkhart, Ind. The railroad company pays all expenses entailed in maintaining the school. The courses of study are of a purely technical character, being such as are practically applied by machinets and mechanics. The school sessions are held at night. Court, and if the decision of the lower It is stated that the Baltimore & Ohio

court is sustained it will only affect cases | contemplates building a line from Lester, Company, corner East Ohio street and Bee- of these exchange orders, nor enlarge the the Akron and Chicago Junction division, thus cutting out the circuitous route by which Chicago trains over the Baltimore & Ohio now enter Cleveland. From Lodi the Baltimore & Ohio now has practically | gave \$1,000 bond.

O. A. Cooper entered the service of the Erie in 1857, and since 1860 has run an engine. He wears a gold medal presented to him by Jim Fiske on the occasion of his making a fast run between Hornellsville and Buffalo. M. A. Shattuck is the oldest conductor in active service on the Erie lines, entering the service of the company in 1862, and since 1867 has been a passenger conductor. He still has charge of one of the company's fastest trains. There is a well-defined rumor to the effect that W. H. Joyce, freight traffic manager of the Pennsylvania road, is to become freight traffic manager of the Western as man who is connected with the lines both East and West. The other two are A. J. Cassatt, president of the road, and James McCrea, first vice president of the Pennsylvania lines west and director of the Pennsylvania Railroad Company.

The Bee-line division of the Big Four system has again become the leading division of the Big Four, a prestige it lost was operated in the interests of the Chesapeake & Ohio. All light freight and passengines substituted. This division is now pealed to the Criminal Court. earning, in connection with the St. Louis division, more than at any time in the history of the line between Indianapolis and Cleveland.

The Pennsylvania and the Eric line are spreading broadcast advertisements of their Pan-American Buffalo line. The circular of E. A. Ford, general passenger agent of the Pennsylvania lines west, announces that there will be two daily trains from St. Louis through Indianapolis and Columbus, one on schedules of No. 20 and No. 14 going east and Nos. 5 and 21 west bound. There will also be two daily trains from Cincinnati and two from Louisville, which will haul through sleepers from those points and at Columbus will be attached to the

regular train from St. Louis. The Pennsylvania lines west of Pittsburg are growing so rapidly in importance that they will soon dominate over the parent Their lines West reach centers of population which turn over an enormous traffic to the Pennsylvania road at Pittsburg. In analyzing the annual report it is noticeable that there is only a difference of the Northwest system and the Southwest system. The Southwest system is not an ore-carrying road, and out of the enormous coal traffic turned over to the Erie & Pittsburg and the Cleveland & Pittsburg line it has a haul of only twenty miles, so that much of the revenue of the Panhandle must come from through first-class business. In the matter of passenger traffic it must also come from regular traffic. Those well informed as to the earnings of the years the gross annual earnings of the Southwestern system will reach \$35,000,000.

## IN THE LOCAL COURTS.

ing stock of \$59,300,000. This year it is be- | The Swift-Canary Litigation-Filing of New Suits.

> Abraham L. Canary yesterday brought suit against Elias B. Swift for \$5,000 damages for alleged allenation of his wife's affections. The suit results from litigation of a year's standing in the Superior Court, which culminated in Canary being divorced from his wife, and Swift's wife getting a divorce. Mrs. Canary brought suit against her husband and he was granted a divorce on a cross-complaint and Mrs. Canary were married.

## John H. Pryfogle's Suit.

John H. Pryfogle has been awarded \$32 damages by Justice Hammond, of Cumberland, against Albert C. Elster, a former officer of the Board of Children's Guard- appears that there was an abuse of the ville. It was filed by Judge Thomas F. ians' Home, for the detention of his daughing via Los Angeles and Ogden, at rate of ter for three months. The suit was brought for the detention of the daughter for several years, but the court held the board responsible only after the girl was February \$107,785, an increase over Feb- adopted. Several years ago Pryfogle passed through the city with his wife and three children, on his way to Richmond to visit in February \$204,720, an increase over February 1906, of \$71,313.

In February \$204,720, an increase over February 1906, of \$71,313.

Reduction of the Campbell side of the case, to-night refused to deny or affirm Judge Hargin's announcement. the family remained at the station. While they were waiting, it is alleged, the entire handle between Indianapolis and Bradford, family was arrested. The father and mother were sent to the workhouse for nell. Johnson C. C. Affirmed, on condition are accused of blackmailing, Judge vagrancy, although Pryfogle had \$20, and that appellee remits \$75.25 within thirty Hargis and forcing him to pay them \$3,500 which include repainting, redecorating and | the children were sent to the Guardians' nished, the pole crab to be ring-fashioned; and refrescoing the interior, will cost at least Home. The father charges that the long gation is not founded upon contract, ex- against the North Cumberland Manufac detention of his eldest daughter has injured | press or implied. It is based upon the prin- turing Company and against the Commonher mind. Preparations are being made to

## A Supreme Court Decision.

The Supreme Court yesterday affirmed a judgment sustaining the will of Hiram H. Bradley, which left the greater part of his \$18,000 estate to the Frankfort Commandery. Knights of Pythias, and to the city of Frankfort. Bradley died in 1895 and lowed from the date of the filing of suit on given him by Judge Hargis. Judge Hargis his widow took possession of the property, being his sole heir. Four years later and after she had remarried a will was discovered, which left her but a small portion of the estate. She said the will was forged and resisted its probate. The jury decided that the instrument was Bradley's will. Another question involved was a bequest of \$1,000 to his brother, who was designated as "Brother John." Upon proof 'John" the Supreme Court held that the bequest should stand.

## Probate Appointments.

The will of John Sinker, probated yesterday, leaves his entire estate to his wife. In the will of William Dehne his property is left to be equally distributed among his

of the same character and will not in any on the Cleveland, Lorain & Wheeling, which Dehne, jr., Carrie Dehne, Emma Waymire member must be in good standing at the and Edward Dehne. William G. F. Dehne, jr., was appointed executor and gave a Algoth Rydell was appointed administrator of the estate of Helga E. Rydell and ed administrator of the estate of Rachel

Christy.

#### A Bieyele in Controversy.

bond of \$1,200.

Calvin.

The suit of Paul Janes against Fletcher M. Noe, on appeal from Justice Pentecost's court, was heard by Judge Carter, of the Superior Court, yesterday. The evidence was to the effect that a man giving his name as Miller pawned a bicycle at Noe's pawn shop. Noe sold the wheel to Janes after keeping it two months. Later a man named Alley went to Janes and claimed well as the Eastern lines. Should the returned over the wheel and then sued Noe for \$20, the price he paid for it. The justice gave him judgment for the amount. Judge Carter has the case under advisement.

### Noah Miller Heavily Punished.

Noah Miller was fined \$10 and sentenced to thirty days in the workhouse by Judge when the Chicago division of the Big Four | Alford, of the Criminal Court, yesterday, on a charge of assault and battery on his wife. ger engines on the Bee-line division have It was charged that he beat his wife unbeen transferred to other divisions and the mercifully. He was fined \$5 and given a powerful large freight and passenger en- light sentence in the Police Court and ap-

## THE COURT RECORD.

SUPREME COURT. 18576. Judd vs. Gray. Pulaski C. C. Reversed. Jordan, J .- 1. The relief provided divorce. Finding for defendant. Divorce for in Section 399, Burns, 1894, extends so as denied. Judgment against plaintiff for to relieve an insane person from a judg- costs. ment taken against him, as being insane at the time judgment was rendered is exproof to the contrary the court is bound to assume that a person who brings an sound mind. 3. A dismissal of a complaint | \$117.70, without relief, and costs. in an action by the plaintiff and a withdrawal of his appearance therein will not by the latter, and in case the complaint is dismissed the defendant may proceed without notice to the trial of his counter claim. 4. A person of unsound mind, before his insanity is declared, may be sued in like manner as other persons, but when such insanity is shown to the court it should appoint a guardian ad litem to defend him in the action or suspend proceedings therein until a guardian under the law can be appointed. 5. Where the court has jurisdiction of the person of an insane defendant and the subject matter of the action and renders judgment against him it is not open to collateral attack, but is binding until set aside or vacated in a direct proceeding for that purpose, 6. Where the unsoundness of mind is the disputed question it is erroneous to charge the jury that in case they find a certain person was of unsound mind at the time of a certain transaction that the persons dealing with him at the time are presumed to have known of his mental weakness at that

19403. Miller vs. Coulter, Clinton C. C. Affirmed, Dowling, C. J.-1. No formal petition is necessary to ask that a will be admitted to probate. If the request to admit the instrument to probate is presented in Circuit Court. the form of a petition, strument must be produced in court, but no copy of it need be filed with the petition. 2. Objection to the probation of a will must be made in writing, verified by affidavit that the same is not made for vexation or delay. 3. A person, one of the beneficiaries in a will, has the right to allege and prove that he was the person mentioned in the will, although misnamed 4. An affidavit for a continuance is a paper relating to a collateral matter, and it cannot be made a part of the record except by bill of exceptiones, or the order of the court. And if it has been improvidently copied in the record among the other proceedings of the court, it cannot be reat length in the bill of exceptions. 5. The fact of the former settlement of an estate, where the decedent was supposed to navdied intestate cannot affect the validity covered. 6. The admission of testimony in its regular order is very much within the discretion of the trial judge and unless it discretion this court will not interfere on Hargis, of Louisville. To-night, however,

-Minutes .-Fogle et al. Noble C. C. Showing and peti- ence held this afternoon, and that all suits tion to set aside order for oral argument. 19512. Meloin W. Demarest, treasurer, etc., vs. William H. Holdeman et al. Elkhart ler, of Louisville, charging the Denver C. C. Appellee points for oral argument (8.) men with conspiracy to falsely prosecute. APPELLATE COURT

3397. White River, etc., Township vs. Darciples of equity and justice and includes | wealth Land and Lumber Company. Judge Erie & Western at Indianapolis, left last night for Chicago to be absent a couple of dren. bring suit to regain possession of the chilvolunteer, pays for another a debt for when threatened with prosecution and which the latter was primarily liable and with a publication of certain charges which in good conscience and equity he against him. The petitioner asks that should have paid. 2. Where a school town- | Campbell, Beatty and Bennett be compelled ship has received and retained the benefit to pay him \$18,500 as damages; he asks that of money advanced by an individual for the the same defendants and Bramblett pay payment of a schoolhouse, equity requires | him \$10,800, the alleged value of bonds bethat the amount advanced be repaid, and where the findings are silent as to when the money was paid for the benefit of the town- to Campbell and others. Fetter is made a ship, interest thereon should only be al- defendant to recover a power of attorney the claim 3142. Warner vs. Mier, etc., Company.

> Judgment reversed and the cause remanded, with instructions to overrule the motion of appellee for judgment in its favor upon the answers to interrogatories. 3401. Supreme Lodge K. of P. vs. Foster. Floyd C. C. Affirmed. Comstock, J.-1. In an action upon a certificate of membership in a lodge an express allegation in the com-

cedent committed suicide is a question for the jury trying the cause to determine, when the manner of his death is an issue 4. Questions, in an application for membership in a society, as follows, "To what The Central Trust Company was appoint- extent do you now use intoxicating d administrator of the estate of Rachel liquors?" and "Have you always been temperate in their use?" relate to the habits of such person. 5. Instructions must be construed together. -Minutes .-

3229. Chicago, Indiana & Eastern Railway Company vs. Florence Mason. Howard Appellee's petition for rehearing and brief (8.) 3608. The Greenwood Building and Loan Association vs. Bertha Todd Stanton. Johnson C. C. Appellant's brief (8.) City of Evansville vs. Mary E. Vanderburg S. C. Appellant's

brief (9.) SUPERIOR COURT. Room 1-John L. McMaster, Judge. The Aultman & Taylor Machinery Com-

pany vs. Jacob Guettal. Dismissed. Costs Room 2-James M. Leathers, Judge. Margaret C. King vs. Indianapolis Streetrailway Company; damages. Argument

heard. Jury instructed and retire. Room 3-Vinson Carter, Judge. Ann E. Wood vs. John J. Hilgenberg et d.; partition. Taken under advisement. Paul Janes vs. Fletcher M. Noe; appeal; Taken under advisement. Arthur Jordan Company vs. Ellsworth E. Clark et al.; account. Dismissed and

costs paid. CIRCUIT COURT. Henry Clay Allen, Judge. Francis H. Wade vs. Elizabeth A. Wade;

Jacob Ruff vs. Ludemy F. Holmes et al. specific performance. Dismissed by plaincusable neglect. 2. In the absence of any tiff. Judgment against plaintiff for costs. Colon W. Claybourne vs. Hiram H. Gibbs; on note. Submitted to court. Finding for action in his own name is a person of plaintiff. Judgment against defendant for Gertrude S. Bazel vs. Fort M. Bazel divorce. Defendant defaulted. Submitted operate without the consent of the defend- to court. Finding for plaintiff. Decree of ant to carry with it a cross-complaint filed | divorce. Plaintiff's maiden name, Gertrude S. Garnett, restored. Parties forbidden to marry for two years. Judgment against plaintiff for costs. Mary L. Thomas vs. Joseph Thomas divorce. Dismissed by agreement at cost of

defendant. Judgment against defendant for Margaret Ware vs. David A. Ware et al.; for support. Plaintiff called and defaulted Cause dismissed for want of prosecution. Judgment against plaintin for costs. Sarah Batley vs. Thomas N. Harding foreclosure. Plaintiff called and defaulted Cause dismissed for want of prosecution Judgment against plaintiff for costs. CRIMINAL COURT.

Fremont Alford, Judge. Noah Miller; assault and battery. Motion to quash overruled. Trial by jury. Finding, guilty. Fine, \$10, and imprisonment in workhouse for thirty days. NEW SUITS FILED.

Thomas J. Neiman vs. William O. Eagle et al.; on note. Circuit Court. Charles Syerup et al. vs. Bernhard Frey et al.; on note. Circuit Court. James Gibbs vs. Priscilla Gibbs; divorce.

Abraham L. Canary vs. Elias B. Swift; damages. Demand, \$5,000. Circuit Court Robert J. Rochow vs. Indianapolis Manufacturers' and Carpenters' Union; damages. Demand, \$400. Superior Court, Room 3. Marie Ferrell vs. Henry E. Bennett et al.; mortgage foreclosure. Superior Court.

## CHANGED HIS MIND.

Judge Hargis Made Charges of Blackmail and Later Withdrew Them.

LOUISVILLE, Ky., March 7 .- The arrest here yesterday of W. Greer Campbell, E. G. Bannett and W. L. Beatty, of Denver, on charges of conspiracy to falsely proseof a will of the decedent afterwards dis- cute, was followed to-day by a suit for heavy damages against them and George W. Bramblett and J. M. Fetter, of Louis-Judge Hargis announced that all differences between him and the Denver men 19436. Edna Brackney et al vz. Nena had been amicably adjusted at a conferwould be dismissed. This does not apply to the warrant sworn out by P. Galt Mil 19579. John T. Littell vs. William N. Burns | Attorney Bennett, for the Campbell side of In the suit brought this morning by Judge Hargis, W. Greer Campbell Bennett and W. L. Beatty days. Robinson, J .- 1. The right of subro- in cash and \$13,250 in claims held by him

longing to Mrs. Hargis and alleged to have been improperly transferred by Bramblett also asks for \$50,000 punitive damages and for the production and cancellation of the Noble C. C. Mandate modified, per curiam. power of attorney given Fetter. In the Police Court to-day the cases against Campbell, Beatty and Bennett were passed till March 23, the commonwealth not being ready for trial.

Mr. John D. Brosnan, until recently the active member of the firm of Brosnan plaint that the defendant did execute the | Bros., left last night for New York to purcontract sued on must be deemed as con- chase a large stock of cloaks, dress pattrolling in the absence of a plea of non cat | terns, etc., which he will install in the factum. It is equivalent to an averment storeroom formerly occupied by the firm that the defendant executed the certificate at 43-5 South Illinois street. During his in the name and style in which it was absence the room is being handsomely resigned. 2. The fact of the good standing | modeled and redecorated. The large plate of a member of a society is a matter pe- glass windows which formerly ran back culiarly within the knowledge of the so- to the entrance about twenty feet from the ciety, and in an action on a certificate of street are being brought to a line with the per cent.

District Passenger Agent Algeo, of the Cincinnati, Hamilton & Dayton and the crine W. Von Spreckelson, William G. F. Is left to be equally distributed among his membership in such society it is not necessidewalk, so that a splendid display can sary for the plaintiff to aver such fact, albe made at all times. Mr. Brosnan has though the certificate provides that the taken a lease for a number of years.

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## MONDAY, MARCH 11 Theodore Thomas

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PARK-To-Day!-2 p. m. Denman Thompson's beautiful play, "The Sunshine of Paradise Alley" March 11, 12, 13-Robert Fitzsimmons, World's Greatest Fighter, in the "Honest Blacksmith."

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